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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,905	03/15/2001	Norman H. Stepno	BEU/STEPNO	2923

7590 09/16/2005
BACON & THOMAS, PLLC
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Alexandria, VA 22314-1176

EXAMINER

BASS, JON M

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/805,905	STEPNO, NORMAN H.	
	Examiner	Art Unit	
	Jon Bass	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the communication filed March 15, 2001. Claims 1-19 are pending in this application.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-19 are** rejected under 35 U.S.C. 102(e) as being anticipated by Ronald Sansone et al (US Patent No: 5,051,914), hereinafter referenced as Sansone.

As Per Claim 1:

Sansone discloses a system of consolidating mailings to decrease mailing costs, comprising, [{col.3, lines 26-30}], a system to enable users creating batch mail to realize discounts of postage]:

a controller for maintaining a schedule of mailings, [{fig 5A, 202}], schedule of pick up], said mailings being originally scheduled to be sent separately, and said mailings including

mailings having in common a destination address[{col.3, lines 61-62}, selected destination address]; and

software for re-scheduling said mailings having in common a destination address, [{abstract}; schedule and route mail] to so that said re-scheduled mailings may be combined into a single mailing, [{col.4, lines 9-11}; mailings can be combined] .

As Per Claim 2:

Sansone discloses a system further comprising:

an addressing device for addressing envelopes, [{Fig 4A, 111}; ; and

an inserter arranged to insert documents in said envelopes based on said schedule, [{col. 5a, 200}; determine merged batch mail data], wherein said controller is arranged to control said addressing device and said inserter in order to assemble said re-scheduled combined mailings, [{fig 4A}, scheduling, sort, print, select route] and .

As Per Claims 3, 10 and 16:

Sansone discloses a system, method and software, wherein said schedule further lists document parameters, [{col.3, lines 40-43}; stations the mail parameters of each mail item] indicative of document weight, [{col.17, lines 46-47}, information relates to weight, volumes, carrier routes], and wherein a number of mailings that are combined is limited by a total weight of the combined mailings.

As Per Claims 4, 11 and 17:

Sansone discloses a system, method and software wherein said schedule includes records containing data concerning preparation of documents to be included in said mailings, data concerning mailing dates, [{col.3, lines 55-56}, delivery time], and address data, [{col.3, lines 47-49} database], said data being provided by remote source computers linked to the computer by a network, [{col.3, lines 35-37}, data center is connected by way of communication network].

As Per Claims 5 and 12:

Sansone discloses a system, and method wherein the controller informs the source computers of changes in said schedule, [{col.3, lines 44-46}, data center computer maintains a database with up-to date, current information].

As Per Claims 6, 13 and 18:

Sansone discloses a system, method and software wherein said records include mailing date windows within which a mailing can occur, and said control program combines said mailings with reference to said mailing date windows, [{fig 5b, 205,206, 208, and 209}; schedule station, carrier routing, arrival times, planning,].

As Per Claims 7, 14, and 19:

Sansone discloses a system, method and software wherein said system is arranged to check different combinations of said mailings, assign a cost score to each combination, and schedule said mailings by determining a lowest cost score, [{col.3, lines 54-56}, merging

process, optimize delivery time, and reduce cost].

As Per Claim 8:

Sansone discloses a method of consolidating mailings to decrease mailing costs, comprising the steps of, [{col.3, lines 26-30}], a system to enable users creating batch mail to realize discounts of postage]:

maintaining a schedule of mailings, said mailings being originally scheduled to occur at different times, and said mailings including mailings having in common a destination address, [{col.3, lines 44-46}], data center computer maintains a database with up-to date, current information]; and

software for re-scheduling, [{abstract}; schedule and route mail] said mailings having in common a destination address so that said re-scheduled mailings may be combined into a single mailing, [{col.4, lines 9-11}]; mailings can be combined].

As Per Claim 9:

Sansone discloses a method further comprising the step of controlling an addressing device and an inserter in order to automatically assemble said combined mailings, [{fig 1, 18}]; data center, which is able to control the inserter and any device].

As Per Claim 15:

Sansone discloses software for consolidating mailings to decrease mailing costs, [{col.3, lines 26-30}], a system to enable users creating batch mail to realize discounts of postage],

wherein said software is applied to a schedule of mailings, said mailings being originally scheduled to occur at different times, and said mailings including mailings having in common a destination address, [{col.3, lines 44-46}], data center computer maintains a database with up-to date, current information], and

wherein said software re-schedules said mailings having in common a destination address so that said re-scheduled mailings may be combined into a single mailing, [{col.4, lines 9-11}; mailings can be combined].

Conclusion

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at (571) 272-6905 between the hours of **9-6pm Monday through Friday**. The fax number for the establishment where the application is being process is (571) 273-8300.

If an attempt to reach the examiner is unsuccessful for any reason, the examiner's immediate supervisor, **John Hayes** can be reached at (571) 272-6708.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished is available through Private PAIR only. For more information about the PAIR system, see

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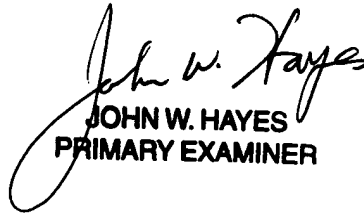
[http:// pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR system,
contact the Electronic Business Center (EBC) at 866-271-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/O Technology Center 3600

Washington, D.C. 20231

A handwritten signature in cursive script, appearing to read "JWP".A handwritten signature in cursive script, appearing to read "John W. Hayes".
JOHN W. HAYES
PRIMARY EXAMINER